**PATENT** 

Attorney Docket No.: 50623.00169

## **CLAIM AMENDMENTS**

1. (Previously presented) A drug release system comprising:

a bulk polymer phase;

a polymeric drug-enriched phase within the bulk polymer phase, the polymeric drug-enriched phase being substantially or completely insoluble in the bulk polymer phase; and

a drug incorporated into the drug-enriched phase, the drug having preferential solubility for the polymeric drug-enriched phase than the bulk polymer phase wherein the bulk polymeric phase is substantially or completely devoid of the drug.

- 2. (Previously presented) The drug release system of claim 1 wherein the drug-enriched phase comprises sites within the bulk polymer phase that are not interconnecting.
- 3. (Previously presented) The drug release system of claim 1 wherein the drug-enriched phase comprises sites within the bulk phase that are intermittent in cross-section and continuous in a longitudinal direction.
- 4. (Original) The drug release system of claim 1 wherein the drug-enriched phase comprises sites within the bulk phase that are continuous in both cross-section and in a longitudinal direction.
  - 5. Please cancel claim 5
- 6. (Original) The drug release system of claim 1 wherein the bulk phase comprises poly(ethylene-co-vinyl)alcohol.
- 7. (Original) The drug release system of claim 1 wherein the bulk phase comprises polyethylene glycol.

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- 8. (Original) The drug release system of claim 1 wherein the drug-enriched phase comprises polyethylene oxide and at least one drug.
- 9. (Currently amended) The drug release system of claims claim 1 wherein the drug-enriched phase comprises poly n-vinyl pyrrolidone and at least one drug.
- 10. (Original) The drug release system of claim 1 wherein the drug-enriched phase has a glass transition temperature that is less than the temperature of the living human body.
- 11. (Original) The drug release system of claim 1 wherein the drug-enriched phase has drug concentration that is greater than the percolation threshold.
  - 12. Please cancel claim 12.
  - 13. Please cancel claim 13.
  - 14-15. (Canceled)
- 16. (Original) The drug release system of claim 1 wherein the drug comprises Actinomycin D.
- 17. (Currently amended) The drug release system of claim 1 wherein the drug comprises one or more of an antiproliferative substance, an antineoplastic substance, an anti-inflammatory, anti-platelet, anticoagulant, antifigrin antifibrin, antithrombin, antimitotic, antibiotic, antioxidant and combinations of these substances.
  - 18-43. (Canceled)
  - 44. (Previously presented) A drug release system for a stent, comprising: a first polymer;
- a second polymer combined with the first polymer, the second polymer being significantly or completely insoluble in the first polymer; and

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a therapeutic substance having a greater degree of solubility in the second polymer than the first polymer such that all of or a significant amount of the therapeutic substance is distributed in the second polymer but not the first polymer.

- 45. (Previously presented) The system of claim 44, wherein the second polymer has a glass transition temperature less than 37° C.
- 46. (Previously presented) The system of claim 44, wherein the second polymer constitutes less than about 30% by volume of the total volume of the first polymer plus the second polymer.
- 47. (Previously presented) The system of claim 44, wherein the second polymer constitutes more than about 30% by volume of the total volume of the first polymer plus the second polymer.